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THE OPERATION OF THE NEW CHILD LABOR LAW IN NEW JERSEY¹

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The law which converted the Department of Factory and Work Shop Inspection into the Department of Labor in New Jersey went into effect on September 1, 1904. The enactment of this law on March 24, 1904, was the culmination of a fight which had been going on in the state for three years, to regulate the employment of children and force the chief factory inspector to do his duty. The man at the head of the department of factory inspection was John W. Ward, who came from Salem County, and had made himself popular with the glass manufacturers by strict inattention to duty. During the early part of Governor Franklin Murphy's administration the labor organizations and philanthropic bodies, such as the Consumers' League and the State Charities Aid Association, made frequent charges of maladministration and neglect against the department of factory inspection. Early in 1902 an act was passed by the legislature empowering the Governor to appoint a woman as deputy factory inspector, in the hope that such an appointment might result in a disclosure of conditions which would force the hand of Inspector Ward and his administration. The Governor, however, took no immediate action, but on April 22, 1902, he sent for Ward and examined him, and publicly censured him for neglect. Inspector Ward pleaded the difficulty of enforcing the law, because of the sworn affidavits of the parents that their children were over the minimum age of twelve years. During this interview Governor Murphy made this significant remark: "You see I have a good deal

¹ This article is contributed through the Department of Philanthropy, Charities and Social Problems, Mrs. E. E. Williamson, Editor, and the notes of the department for this issue are omitted in order to give space to this more elaborate study of Child Labor Legislation of a single State.

to learn about this affair before I am very much older." At the same time the Governor announced that he would sign what was known as the Lord bill, which had just been passed, which provided for an additional deputy inspector, and compelled all of the employees of the department to give their entire working time to their duties. Prior to this time it had been customary for deputies to engage in other occupations, and simply put in their spare time visiting the factories.

Following the announcement referred to above, the Governor declared in an interview that he had no intention of personally visiting the glass districts to make an investigation. Apparently the statement allayed the fears of the inspector, and things went on as before. However, the Governor employed inspectors from outside the state to look into the situation and report to him, and during the following summer and fall much information was procured. It was rumored at this time that the Governor had asked for Ward's resignation, which was refused. Ward had been appointed as chief factory inspector by Governor Griggs in 1896, and re-appointed by Governor Voorhees in 1901, and it had always been supposed that he could be removed at any time by the Governor for cause.

But it seems that the chief factory inspector was appointed with the consent of the senate, and the attorney general held that an officer who was appointed subject to confirmation by the senate could only be removed after impeachment. In Governor Murphy's first annual message of January, 1903, he stated: "The inspector and his assistants are responsible to the legislature only. If the power of removal was lodged with the Governor, a more vigorous enforcement of the law could be expected at once. Children should be protected from the heartlessness of parents and the selfishness of employers. The present legal age for the employment of girls is fourteen, and of boys twelve years. I recommend that the legal age for the employment of boys be increased to fourteen. That is quite young enough, and is the age prescribed by Massachusetts, Connecticut, New York, and eight other states, eleven in all. Children cannot be expected to go to school after the practical work of life has begun, and their mental, moral and physical welfare all demand that the change recommended be made." In accordance with his recommendation an act was passed giving him the power to suspend the factory inspector indefinitely for any neglect or failure to per-

form his duties, or providing for the removal of the recreant official after having given him an opportunity to present evidence in his defense. Soon after the legislature adjourned the Governor practically suspended Inspector Ward, and put his own private secretary, John L. Swayze, in charge of the department. Mr. Swayze immediately took vigorous measures to reform the department, and conducted a thorough investigation as to the conditions which prevailed in the textile industry, the glass industry, and other trades in which children are employed. These investigations showed that the law was being violated in all sections. Mr. Swayze succeeded in forcing the discharge of a number of children who were employed in the silk mills of Passaic County, but found that the violations of the law were largely due to false affidavits made by the parents, and that the law itself was inadequate. In December, 1903, Mr. Swayze made a statement to the Governor, in which he reviewed the conditions of the textile district, which includes the cities of Paterson and Passaic. In the course of this statement he said:

"When the investigation was begun in May last the legal age at which children might work in factories was fourteen for girls and twelve years for boys. On September 1 a new law went into effect making fourteen years the minimum age for both boys and girls. The first few months of the investigation were spent in studying the conditions with a view to learning the true situation as a guide for future work. As complaints were made that the local deputies did not attempt to enforce the law, deputies were transferred from their own districts into other districts and given a list of factories to be inspected. Twice outside deputies were sent into the textile districts and no results were obtained. The number of violations reported by the deputies was so small as to force the conclusion that either there was no child labor in the textile district, or if there was, the local deputy, for some reason, could not find it.

"These investigations were all made before the first of September and practically no results had been obtained. To test the situation further, it was then decided to detail a special investigator who, without a consultation with the local deputy, was sent to Paterson and Passaic. He was instructed to make a thorough investigation of the conditions that prevailed in those cities as to child labor and the fire protection laws.

"He started his work in that district on October 6, and con-

tinued there for six weeks. He was very much crippled in obtaining information that he desired, as it was impossible to give him any legal authority to enter the mills, and the only way in which he could obtain information was through outside investigations. This made the work necessarily very much slower than if he had had the power to enter the mills and examine conditions from the inside. In the short time he spent in the textile districts he reported seventy-three cases of child labor violation in the mills, and not only reported that number, but obtained the street addresses, the names of the parents, the school attended and the age as given by the child and as shown on the school registers in most of the cases. These children ranged in ages, as shown by their own statements and the school registers, from eight to fourteen years, and comprised some of both sexes.

"Needing him in another part of the state, we were compelled to remove the special investigator before he had been able to run down all the cases he had on hand, and at the time he was removed from the district he reported that he had a list of two hundred children whom he had good reason to believe were under the legal age."

By this time Mr. Swayze had convinced himself that the factory inspection and child labor laws of the state were in some respects contradictory, and of doubtful constitutionality, and that in any event they were extremely faulty, and that the burden of proving the age of a child was placed upon the department. By the Governor's direction, Mr. Swayze prepared a bill for the complete re-organization of the department. In the preparation of this bill he sought the assistance of the philanthropic forces of the state and the labor leaders, and of all whose knowledge or experience could give him any assistance. At his request practically the entire literature of the subject was placed at his disposal, and copies of the child labor and factory inspection laws of other states were studied carefully by him in the determination to frame a measure that should be fair and adequate and thoroughly practical. In January, 1904, Mr. Ward concluded to resign the office which he had only nominally held during the previous six months, and Governor Murphy appointed Colonel Louis T. Bryant as chief factory inspector. The appointment was an ideal one in every respect.

On February 8, 1904, Mr. Swayze's bill was introduced in the senate by Senator Bachellor. The bill put the burden of the proof of age on the parent, and the burden of obtaining such proof upon

the employer. The age of a child was established by birth certificates, church records, or passports, according to the class and parentage of the child, and gave the department power to demand a certificate of physical fitness in the case of any child under sixteen. It provided for co-operation without conflict between the department and the boards of education charged with the enforcement of the compulsory school attendance law. It regulated sweat shops, and provided for a commissioner of labor, an assistant commissioner, and eleven inspectors, of whom two must be women; also for the appointment of additional inspectors for special work by the commissioner. The inspectors can be shifted about from one district to another, and the authority to employ extra deputies for special needs enables the commissioner to review the work of any of his deputies at any time. The penalties for violation of the law affect both the parents of the child and the employer, and it was provided that the employer shall keep a register of all children employed for the inspection of the factory inspector and truant officers.

In order to consolidate and crystallize the efforts of all those who had been waging the battle for the children, the Consumers' League called a conference of persons who were interested, from which was evolved the Children's Protective Alliance, which embraces in its membership practically every organization in the state whose purpose concerns the conditions of the children of the poor and their material welfare. This action united the social forces in the state in support of Mr. Swayze's bill. For some time it looked as though the effort might be in vain, as the chairman of the committee to which it had been sent was opposed to its passage. On March 29th a memorable hearing was held. The only serious objectors to the measure who had the courage to come out in the open were the glass blowers, and their opposition was mainly centered upon the section which prohibited night work by children under sixteen years of age. Under the spur of an overwhelming public opinion the committee reported the bill without amendment. On second reading, however, in the senate, an amendment was offered eliminating the provision which prohibited night work. The only vote which was cast in favor of prohibiting night work was that of Senator Bachellor, of Essex County, who introduced the bill. The act as amended was passed unanimously in both houses, and was signed by the Governor

on March 24th. The law did not go into effect, however, until September 1, 1904, and as the fiscal year ends October 31, the recent report of Commissioner Bryant only covers the experience of two months. The report indicates that much has been done by the commissioner to systematize the work of the department. He says that "among the rights under the law to be respected is that of a child which is over fourteen years of age to work, and unless this latitude was permitted a great many hardships would be entailed. On the other hand, a too great laxity in the issuing of special permits would greatly retard the proper enforcement of the law. The department insists before issuing such a permit that evidence be produced showing an effort has been made to obtain the proper records, and that a factory inspector see the child personally, and advise the department that it is in his judgment not only more than fourteen years of age, but also that it is in proper physical condition for employment in factories. It will be seen that a strict enforcement of the present law on affidavits will largely do away with the evil of children under fourteen years of age working under false affidavits, a common practice under the old law. Before the affidavit becomes operative proof of the child's age must have been produced, and the department at Trenton apprised of the conditions by a duplicate set of papers, which are filed with it. The process has the additional advantage of securing our assistance in protecting well-meaning manufacturers by pointing out the inaccuracies in the papers as they are filed with the department. Since the first day of September we have issued, largely upon request, 31,000 blank forms for affidavits, composed partly of those for native and foreign-born children. We have had filed with us since that date approximately 3,000 affidavits made out on the new form. The labor law provides that all affidavits which are filed under the old act previous to the first day of last September have the same force and virtue as those complying with the new requirements. Considering this fact, the number of affidavits received seems to indicate the desire upon the part of the manufacturers to comply with the law. A number of these affidavits are not complete in all the details, and we are insisting upon a strict compliance with the requirements of the law. Another wise section permits the demand for proofs of age. Where the department finds a child working in a factory who is manifestly under age, but cannot obtain proof of the fact, we may demand a

'proof of age.' In this case the custodian of the child must procure proof satisfactory to the department. Another important section empowers the department to demand a certificate of physical fitness. In many cases one child at twelve years of age is much better equipped for factory work than another child at fifteen. Where the physical condition of the child seems to indicate too frail a constitution to carry on the work required of it we may demand a certificate from some practicing physician that the child is strong enough for the work.

"Before making up the forms and blanks for operation of the department we corresponded with practically all the factory departments in the United States, and naturally secured a great mass of literature on the subject. We have adopted a system of blanks which, while not perfect, apparently covers every condition. The inspectors are required to fill out in detail the inspection blanks, and they are in turn filed in the department office. In this manner a history of each case can be found. The system has proved practically satisfactory, and it is particularly effective in detecting cases of re-employment of children who have been discharged from one factory and receive employment in another.

"While ignorance is never an excuse for the violation of the law, at the same time it is so frequently pleaded that we mailed to each manufacturer of the state a copy of the law, prepared by the department in book form, containing an index pointing to the various heads of the act; a copy of both a native-born and foreign-born affidavit; a summary of the new law, for posting in factories, and a scale drawing of the proper fire escape. They were accompanied by a letter calling attention to certain salient features, and volunteering further assistance. These letters have brought on a very considerable amount of correspondence, and show a disposition upon a large part of the manufacturers of the state to comply with the law.

"A criticism has been made that at times when a child is taken from a factory instead of going to school it runs the streets. We have adopted a course of notification designed to obviate this evil. Orders are made for the discharge of a child from an order book in three sections; one is for the stub, giving a description of the case; another contains a notice to the manufacturer to discharge the child within five days after the receipt of the order, and a third is a return slip, apprising the department of the date upon which the child left

their employ. Each case is given a number, and a sister book is kept, wherein the same number is used in each instance, and when a discharge notice is sent out a notice is mailed to the nearest truant officer or other educational authority, informing him that a child of a certain name and address will be discharged from a mill on a given date. While we have not the authority to follow up a case further, at the same time the proper enforcement of the compulsory educational law insures the attendance at school.

"The department has brought, under the old law, twenty-three suits for the improper employment of children, and has secured nineteen judgments, being successful in all but one case which have been finally disposed of at this time. Our present inspections certainly indicate the fact that there are less children under fourteen years of age working in the factories of New Jersey than at any other time in the history of the department. The crowded conditions of the school rooms, shown by reports from various sections of the state, would also bear out this contention.

"The department has endeavored to recognize and protect the various interests of the parties with whom it has to deal. While strictly enforcing the child labor law, at the same time it has aimed to do so in such a manner as to permit every child over fourteen years of age the right to work under the provision of the law. It has also endeavored to administer provisions intended for the betterment of labor conditions in such a manner as to protect the undeniable rights of capital, enforcing the law with as little inconvenience and hardship as possible to the manufacturers. We have been able to accomplish a number of good results without even the necessity of an order. Whenever possible this course will be pursued, as it will be our aim to administer the act insuring to the laborer his just claims without any undue hardships or inconvenience to the employer."

During the year which closed October 31, 1904, the department inspected 1,788 manufacturing establishments, making, in addition to special visits and inspections 2,404 regular inspections. There were 272 orders issued and 397 children discharged as below the legal age.

Shortly after the appointment of Colonel Bryant as chief of the department of labor Mr. John L. Swayze was made assistant attorney-general of New Jersey. In this capacity he acted with

Colonel Bryant in the various suits which were brought for violation of the child labor laws. Most of these were test cases, and some interesting points came up in the decisions. In the case against the Johnston & Murphy Shoe Company of Newark, for the employment of a girl under fourteen, the defendants' superintendent, Charles Gibbons, testified that sometime previous to the date of the alleged violation, the shoe company let its fitting work out on contract to James Waldon, who occupied a room in the building. Last January the firm took the work over, and the contractor's employees were retained. Mr. Gibbons said that as soon as he found out that the girl was under age she was discharged. The court said that lack of knowledge as to an employee's age did not excuse employers from the penalty of violation, if there was violation, and gave judgment for fifty dollars fine.

Another case was that against Barton & Ackerman, silk throwsters, charged with employing Henry Ball, a boy under the legal age of fourteen years. The only witness summoned in behalf of the state was Mr. Wells, the deputy inspector, but Mr. Swayze, after court had opened, requested one of the defendants to take the stand. Mr. Ralph Shaw, counsel for the firm, objected to this, claiming that a defendant could not be called upon to give testimony against himself. Judge Lewis held that the procedure in criminal courts did not hold good in this instance. The court fined the firm fifty dollars, and allowed counsel ten days in which to file an appeal.

The third case was that against the parent of an Italian boy named Imperatore. The boy was employed by James Dutton in the Essex mills under an affidavit signed by his father setting forth that he was born in Aquila, Italy, in February, 1888. The department secured a certificate from the Ufficio di Stato Civile, or Bureau of Vital Statistics of the Commonwealth of Scontrone, Italy, showing that the boy was born in that province in February, 1891.

As a result of these suits, which have been largely advertised, factory owners are taking extraordinary precautions to make sure that those they employ are of the age required by law. In many instances employers have secured certificates not only from children applying for positions, but from those who are already employed prior to the enactment of the new law. The sentiment throughout the state seems to have changed. Where there was almost open disregard there is now a manifestation of watchful care lest the

law may be violated and its penalty incurred. The wholesome respect for the law itself is due to the conviction that it will be earnestly and fearlessly enforced.

One of the largest factories is now working under a rule, recently adopted, that will prove very effectual in prohibiting the employment of children under the age of fourteen. The managers of the concern, after carefully considering the matter, called before them all the contractors in their employ and all heads of departments, and informed them that if at any time while the present state law is in operation a child under the age of fourteen is employed in the factory, the responsibility will be laid upon the man in whose department the child is employed; the company will assume no part of it. If the state officers find the law violated and the company is fined the money will have to be paid by the person in charge of the department in which the child was illegally allowed to work.

As has been said, Commissioner Bryant's report only covers September and October of 1904, so far as the new law is concerned. Now that it has been in operation for six months, the law itself and the quality of administration may be said to have been fairly tested. For the purpose of getting information on these points, and also on the problems of compulsory education, which are so inextricably bound up with that of child labor, I prepared a list of questions as follows, which were sent to the superintendents of schools in all the various cities, and also to others who are dealing daily with the children of the poor, such as child-caring and charity organization societies, probation officers, truant officers, and priests whose parishes include large parochial schools, and some of the best informed clergy of other denominations, and labor leaders:

Do you know of any children under fourteen in your city who are at work in a factory?

Do you know of any families who complain of need because of the enforcement of the child labor law?

Do you believe that the child labor law is being thoroughly enforced in your city?

Is the compulsory education law fully enforced?

Are the schooling facilities in your city adequate for the children of school age?

Are there any factories in your district which employ chil-

dren over fourteen at night? If so, in what industry, and what is the effect on the children?

Can you suggest any deficiencies in the child labor law which might be remedied?

Have you seen any actual results from its operation this winter?

Replies to these questions indicate that so far as their observation and experience extends, the persons to whom the inquiries were addressed are substantially convinced that the child labor laws are being enforced with remarkable thoroughness. Replies have been received from the school superintendents of Asbury Park, Atlantic City, Bayonne, Bridgeton, Camden, East Orange, Elizabeth, Jersey City, Millville, Montclair, Morristown, Newark, Orange, Passaic, Paterson, Perth Amboy, Plainfield, Rahway, Trenton, Union, and West Hoboken.

Only a few of the school superintendents know of any children under fourteen who are at work in a factory. Mr. W. M. Swingle, of Orange, says he has been told that there are children under fourteen at work in factories, and has investigated several cases, and found children under age. The superintendent of the Montclair schools says that he thinks there are a few children under fourteen at work in factories. The superintendent of the Elizabeth schools answers the questions, thus: "No. They have been closely watched." The superintendent of schools in Jersey City replies: "At present, none. A few cases have come to my notice during the past year. In these the law was enforced and the children required to attend school." The chief attendance officer of Newark says: "I have no personal knowledge of any children under fourteen at work in factories. As soon as we hear of any we force them to leave the shop and return to school." The Paterson superintendent says that there are very few children under fourteen in factories. The Perth Amboy superintendent instructed the school principals to put the question to teachers. The latter say they know of "some such cases." The superintendents of Bridgeton, Orange, and Perth Amboy are the only ones that do not believe the law is being thoroughly enforced. The Paterson superintendent says that it is enforced, but not perfectly. The Trenton superintendent says: "Yes, a few. Three or four." Perhaps it is well to say in this connection that very few

people are aware that the law is not retroactive, and that faulty affidavits as to age which were filed under the old law previous to the first of September, 1904, cannot be questioned by the commissioner.

The answers as to the enforcement of the law which have come in from other sources are, with two exceptions, to the effect that the law is being enforced and that the persons who have replied do not know of any children under fourteen who are at work in factories. Father O'Connor, of Harrison, does not think the law is being thoroughly enforced, though he notes a great increase in school attendance. The Rev. Henry Willmann, who is the chairman pro-tem. of the Organized Aid Association of Jersey City, does not think the law is being thoroughly enforced, but only knows of one case of a child under fourteen who is at work, and says that he has had a number of applications for certificates of birth in his capacity as rector of a church. Mr. A. W. McDougall, the secretary of the Newark Bureau of Associated Charities, says that from personal knowledge of cases he has reason to believe that the law is thoroughly enforced. He says that he has seen good practical results from the operation of the law, and adds: "This society is heartily in accord with the present administration of the child labor law, and can testify to its effectiveness. We only hope the department will remain as effective as it is now." Father Whelan, Bayonne, says: "During the month of February, 1905, yes. Up to that time I did not hear of any effort, but then it was rigidly enforced."

With regard to the second query, "Do you know of any families who complain of need because of the enforcement of the child labor law?" the affirmative answers are as follows: Superintendent of schools of East Orange, "two." Superintendent of Jersey City, "A few such cases have come to my knowledge." Chief attendance officer, Newark, "I have at least one or two families every week who complain, but many of the complaints are groundless." Superintendent of Orange, "One or two such complaints have been made." Superintendent of Montclair, "Yes, some families complain." Superintendent of Passaic, "Yes, many." Superintendent of Paterson, "Certainly, yes." Superintendent of Perth Amboy, "Think there are a few." The Plainfield superintendent says, "None with foundation in fact for such complaints." The Rev. Henry R. Rose, Newark, "Yes." The Rev. F. A. Foy, Avondale, "Only one. Italian family of seven children. Girl of

thirteen, quite large, looks fifteen." The secretary of the Organized Aid Association of Plainfield, "Two cases (parents are lazy)." The secretary of the Bureau of Associated Charities of Newark, "Yes, we have had several families. In the majority of cases, however, the enforcement of the law was not the real cause. It was a ne'er-do-well father, or older brothers who shirked, etc." Father O'Connor, "Yes. Parents addicted to drink." Rev. H. Willmann, "I know several families in need because of the enforcement of the law." Poormaster Barck, of Hoboken, "Yes."

In this connection it is interesting to note that a bill was introduced in the assembly by an assemblyman from Hoboken, which would have weakened both the child labor law and the compulsory education law if passed. It provided that a child of school age might be exempt from school attendance "if the circumstances surrounding such child would probably result in such child or its family becoming public charges." It is supposed that this bill was introduced on behalf of the relief authorities of Hudson County, but the bill died in committee.

In response to the question, "Have you seen any actual results from the operation of the child labor law this winter?" most of the answers are simply "Yes." The superintendent of the Trenton schools presented the questions to the principals of the different schools, and has summarized their reports. He says: "Many children are in school who would otherwise have been at work. Many have returned to school who were at work. Many have been refused employment and then advised to return to school by the managers of industrial concerns."

The superintendent of the Orange school says: "I know of several cases where the children have been discharged and are now in school." The superintendent of the Elizabeth schools says that many children were dismissed from Singer's factory, and other places. The superintendent of the Millville school reports "Fuller schools." The Paterson superintendent says: "Yes, of course. Our inspector has been active." The Passaic superintendent reports "Increased attendance at school." The Newark attendance officer says: "The effect of the law has been to make factory and workshop owners more careful in their employment of children. It has acted as a deterrent." Father O'Connor reports: "Great increase in school attendance." Father Gessner reports: "The result is very good, so

far as I can see. The only fault I have to find is that there are too many children around the corners who ought to be in school." The Rev. James I. Vance says: "Yes, some children have been kept from the mills." The Montclair superintendent says: "Fourteen or fifteen girls under sixteen years were employed from 7 a. m. until 9 p. m. for four nights a week during three or four weeks."

Father Whelan, of Bayonne, says: "During February, 1905, I interested the inspector to visit the Standard Oil children who worked there every day, Sunday included. He did good work in enforcing the fifty-five hours law for those under eighteen, and thus stopped Sunday work. He had some children withdrawn from the silk factory."

Mr. E. J. Falsey, the vice-president of the Mercer County Central Labor Union, says that there has been a large increase in school attendance. He does not know of any children under fourteen who are at work in a factory, and says that while the law may be improved upon, he believes that it would be best to wait until the time ripens before making any changes. He adds: "I feel confident that the department of labor has done the best they could under the new law, and the enforcement of this law is only too well shown by the opposition which is shown from time to time. The department of labor has done remarkably when you take into consideration the conditions that existed when it was inaugurated. Would like to see sixteen years for girls."

With regard to the possible deficiencies in the child labor law, the following suggestions were made:

Henry Snyder, superintendent of schools, Jersey City, "The provisions of law for the support of destitute families should be more ample. If the law keeps children from work, and requires them to attend school, it should also provide them with proper maintenance, if the parent or parents are in indigent circumstances. This help should be given in such a way as to maintain the family organization and relations, if the parental or family influence (in the cases of the families in question) is wholesome. In some cases pleas have been made to us to allow children of widows to remain away from school in order that they might by their earnings help in the support of mothers and other children. This course is sometimes urged upon us by well-meaning people, who think the law is unnecessarily severe. We have invariably refused, because

the law does not permit us to accede to such requests, and because (which is more important) a policy which helps some individuals by injuring others, viz., those children who labor, cannot be judicious. We should aim rather to benefit all. To do this it is necessary to give public or private aid to some children and families. And, as I have already said, the law should permit public aid to be given, or, rather, should require public aid given (if private aid is not available) in such a way as to maintain the family circle."

James A. McCall, chief attendance officer, Newark: "The main deficiency apparently is that it is not really a child labor law, but a factory law, as it covers factories and workshops only. It should undoubtedly cover all forms of child labor."

O. I. Woodley, superintendent of schools, Passaic: "I think educational qualifications at fourteen years of age before receiving a permit to leave school is desirable, a transfer to be issued when the child is able to do certain specified things called for in the course of study. Many of those who leave our grades here at fourteen years of age know so little that in no way can they subsequently become well informed and useful citizens. There is so much dishonesty concerning the ages that this entire matter could be greatly simplified if the educational qualifications were regarded. Parents are actuated by the desire for money, while teachers of schools are actuated by the desire to have every child possessed of the power to be a part of the life in which he is to live."

W. E. Chancellor, superintendent of schools, Paterson: "Factory inspectors on high salaries, and perfect tenure." (Sic.)

H. M. Maxson, superintendent of school, Plainfield: "The law is not at hand; but if it exempts any class of children (gas, factory or telegraph and messenger boys) I deem it imperfect."

Robert Waters, superintendent of schools, West Hoboken: "I think the clauses in the school law, if enforced, are sufficient."

Rev. Henry R. Rose, Newark: "Right of petition to the court of common pleas has been suggested to me as a course that should be allowed, where to keep children from work will mean the pauperizing of their parents."

Miss Anna H. Van Meter, secretary of the Associated Charities of Salem: "No. I approve of a child labor law. Yet, even in this small place more children go to ruin from laziness than work."

Rev. T. J. Moran, Catholic Protectory, Arlington: "More

severity in enforcing school laws on the part of those having the authority, and more severity in keeping boys and girls of school age off the streets on part of the police. Without these nothing can be done."

Rev. F. A. Foy, Avondale: "In view of the hardship of the law as it stands, in certain cases would it be well to rest discretionary powers in the commissioner of labor so as to permit children under fourteen who are more than usually developed physically (i. e., when the development is as great or greater than the average child at fourteen years) for their age, to work in factories, provided the family is destitute and needs the wages of the child? Application might be made by the overseer of the poor or by any incorporated child-caring or charitable society, to the commissioner, who might prescribe the nature of the proofs required (viz., physicians' certificate as to physical conditions, etc.), and the commissioner could also investigate for himself. He should be charged with taking into view all the circumstances, educational and physical, touching the application, as a basis for his exercise of discretionary power. A special clause should free such a child (after favorable action by the commissioner) from the operation of the compulsory education law. I don't think it could be construed as 'class legislation' under the New Jersey decisions, and it would therefore be constitutional."

Harry L. Barck, Jr., overseer of the poor, Hoboken: "The truant boy may do better in a factory."

Mr. A. W. McDougall, secretary of the Bureau of Associated Charities of Newark: "I think there should be an education qualification."

Otto W. Davis, the superintendent of the Charity Organization Society of Paterson, says that he does not know of more than four or five families who have complained of need because of the enforcement of the child labor law in two years, and that there are practically no children in Paterson who are employed in factories at night. He adds: "The only complaint which I have to make regarding the child labor law is on the side of the compulsory education. There is no systematic attempt in this city to compel children under fourteen to attend school. We have only one truant officer going about in strips and making great fun for the boys as they dodge him around the corners. If the compulsory education law was anywhere as nearly as well enforced as the law prohibiting children

working under fourteen years, the situation would be much more commendable. As it is, children are sent home from the mills by the inspector only to go to work elsewhere or play around the streets, in spite of the fact that all children discharged by the inspector are reported to the superintendent of schools. I believe our inspector, Mr. Wells, deserves much credit for his faithfulness in performing his duties.

"The only cases I know of where children are working under the age limit are those of certain boys where the efforts of both truant officer and the parents have failed utterly to compel the boy to go to school, and where he is in danger of going to the bad on account of being left in the street. I have just come from visiting such a case this afternoon. The parents did not want the boy to work, and have done everything in their power to get him to go to school, but all in vain. He has even been locked up for truancy, all to no avail. He was rapidly going to the bad when set to work and is now doing nicely. I confess that in such a case as this I am at a loss to know what is best to do: obey the law and ruin the boy, or save the boy and slight the law."

Mr. James E. Bryan, the superintendent of public schools in Camden, says: "We are studying this whole matter, but do not feel in position, after so short a time, to give information yet."

Mr. Richard Stevens, probation officer for Hudson County, endorses the labor department, but believes that "factory inspector should have power to grant permission in certain cases for children under fourteen to work, with safeguards against abuse." He says the compulsory education law is not fully enforced.

Miss Kremm, the secretary of the Elizabeth C. O. S., says that the child labor law answers all present needs, and is well supported, but that schooling facilities are inadequate. She adds: "A number of children have applied at this office, asking the society to use its influence to place them again at work. In all but one case we have refused. One case we were satisfied to interest ourselves in, but the labor commissioner said that no exception could be made. We have had to assist families which were dependent on the earnings of children under the age limit."

Mr. J. H. Christie, superintendent of Bayonne schools, says that the law is thoroughly enforced in factories. Bayonne has no truant officers, but is preparing for them. The schooling facilities

are not adequate, and he complains of the lack of a place for "in-corrigibles." He knows of no families in need because of the operation of the child labor law.

Apart from the failure to prohibit night work for children between the ages of fourteen and sixteen, the only point in regard to which the law itself has been seriously criticised is that it lacks a provision requiring the actual educational test of scholarship. There are undoubtedly some cases of children who have reached the age of fourteen without even learning to read and write. If so it is due to one of the following reasons: First, because the child's attendance at school has been very irregular, to the point perhaps of actual truancy. This of course implies that the compulsory education law has not been properly enforced, either because of the lack of sufficient school facilities or of any provision for the employment of a truant officer. Second, that the child is abnormally dull and slow, which probably implies that it belongs to the backward or atypical class, for whom special classes should be provided; or, third, that the child is a recent immigrant, and has not been in the country long enough to get the benefit of our public school system. The practical expediency and value of an educational test in connection with the child labor law seems to be a debatable one. However this may be, it is certain that at the present time there are comparatively few manufacturing communities in New Jersey where the question has any immediate practical bearing upon the child labor problem. The enormous industrial development of the past decade in northern New Jersey, with the remarkable increase in population, has strained the resources of the important cities to the debt limit allowed by law. The amount of bonded indebtedness is definitely restricted, and in spite of the fact that the cities are steadily and continuously putting up new schools, there are a number of communities which have not yet caught up with the increase in the children of school age, and are consequently hampered, if not prevented, from the strict enforcement of the compulsory education law. The appointment of truant officers is a very recent matter in all but three or four favored communities, and it is generally felt by those who have given the matter any study, that the next important step in welfare work for the children of New Jersey is the extension of the truancy system and the establishment of parental schools. At the instance of the State Board of Education Judge Scott, of Paterson, presented a bill to

the recent legislature providing for the establishment of county schools of detention, for the care of habitual truants and dependent and delinquent children under sixteen whom it may seem necessary to hold in custody by virtue of the order of any of the courts of common pleas. The act provided for complete school equipment. Unfortunately the bill failed of passage.

The child labor act has been recently supplemented by a bill including all the provisions of the old law relating to the inspection of bakeries. In this bill night work for children under sixteen is prohibited, and it is hoped that with this as an entering wedge it may be possible next year to pass a bill prohibiting the employment of children at night under sixteen in all factories or workshops. The glass factories seem to be the only ones which now employ children at night.

The city of Newark passed a municipal ordinance last year licensing newsboys, which has been vigorously enforced, and works very well.

When Governor Murphy appointed the eleven deputy inspectors in the department of labor he wrote each one of them as follows:

"Your first duty will be to study the law so as to become familiar with what it requires on the part of those whom it affects, and what is your duty under it.

"The law must be enforced, not in a way to annoy, but in a fair and considerate manner. But it must be enforced, and your duty under it must be faithfully and continuously performed. I have appointed a chief commissioner who is in full sympathy with its provisions and who will give you instructions concerning the detail of your work. These instructions he will expect you to follow implicitly.

"It is believed that the proper enforcement of the law will prove of great advantage to the people of the state, and I count upon your loyal and unfailing support in the discharge of your duties."

No state or country has yet succeeded in devising a child labor law and a factory inspection system so perfect as to work automatically. With the co-operation of the educational authorities and the philanthropic forces of the community, and the backing of a strong public sentiment, the cases of disobedience should, however, be few and exceptional. On the whole I think it may be doubted if

there is any state in the Union where the employment of children is more carefully, thoroughly, justly, and wisely regulated than in New Jersey at the present time, excepting for the unfortunate fact that children between the ages of fourteen and sixteen are still employed at night. The department has been taken out of politics and put on an honest basis in the hands of a firm and able administrator.